

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff,

and

EDUARDO AMARO,

Civ. No. 95-1200 RLP\DJS

Plaintiff-in-Intervention,

v.

WAL-MART STORES, INC.,

Defendant.

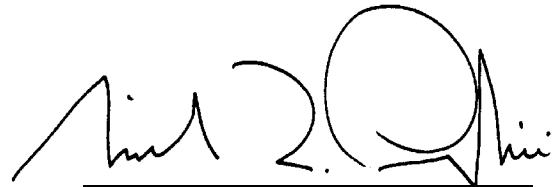
ORDER SETTLING COSTS

THIS MATTER comes before the court on Plaintiff Equal Employment Opportunity Commission's Motion to Tax Costs. The EEOC seeks recovery of \$2,294.68, payable to the U.S. Treasurer, for deposition transcription costs and the cost of copying the EEOC's exhibits that were admitted into evidence. Defendant Wal-Mart argues that none of these costs should be recovered.

Pursuant to D.N.M.LR-Civ. 54.2(b), transcription costs for depositions reasonably necessary to the litigation may be recovered. Local Rule 54.2(e) allows recovery of copying costs. Having reviewed the submissions of the EEOC, I find that Dr. Foote's deposition, at a cost of \$955.62, was not reasonably necessary to the litigation. All other costs are allowed.

IT IS THEREFORE ORDERED that the Equal Opportunity Commission's Motion to Tax Costs [Doc. 184] is granted and the EEOC shall recover costs in the total amount of \$1,339.06, payable to the U. S. Treasury.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Richard L. Puglisi', is written over a horizontal line.

Richard L. Puglisi
United States Magistrate Judge
(Sitting by designation)